REMARKS

Claims 6, 8, 10, 12, 14, 16, 18, 20, 22 and 23 are in the application. All of the claims are finally rejected on new grounds: Dierks (U.S. 6,948,061) in view of Oka (U.S. Pub. 2002/0108042) under Section 103(a). It is respectfully requested that the Examiner remove the rejection based on the following remarks.

The traversal centers about subject matter recited in independent claims 6 and 16:

"only those signatures generated at a time prior to the certification of the public validation key are recognized as valid."

In the prior response applicants amended claims 6 and 18 to more fully distinguish over the Dierks reference by incorporating this same subject matter from canceled claims 7 and 19. The Dierks reference had been applied to the same subject matter because the Abstract of Dierks was incorrectly construed as disclosing that only those signatures generated at a time prior to the certification of the public validation key are recognized as valid. In fact, this is not what the reference discloses.

Now, a similar error has occurred with respect to the Oka reference. At page 3, the Final Office Action concludes, incorrectly, that the Oka reference provides what is missing from the Dierks reference. Citing Par. [0152} of Oka it was stated that Oka teaches: "that only the signatures generated prior to the certification of the public key are recognized as valid."

The rejection goes on to state (see again page 3 of the Final Office Action) that

"the certificate authority (CA) selects signature modules ... and causes the selected the selected modules to generate signatures based on the respective cryptosystems ... before issuing a public key certificate containing the generated signatures."

However, neither the above statement quoted from the Office Action nor any text in the cited paragraph [0152] disclose the subject matter which is absent from the Dierks reference. At best, this passage only discloses that modules generate signatures before issuing a certificate. This is not the same as requiring that only those signatures generated at a time prior to the

certification of the public validation key are recognized as valid. For example, as noted in the prior response filed 20 December 2007, certification of the public validation key is not necessarily the same as a continued recognition (e.g., after certification) that the public key is still considered valid. This is an example of exactly what the claimed invention does not permit and this feature distinguishes over the prior art.

To further illustrate that the prior art combination does not result in the claimed feature, reference is again made to the Dierks reference at col. 3, lines 51-56 which supports applicants' interpretation that the disclosure of Dierks is limited. The passage states that the validation engine has the ability to allow the completion of a requested private key operation by determining

"whether a certificate is treated as valid at that moment or instant in time ..."

Thus the reference does not obtain a certificate for each request, but only determines whether the certificate is still considered valid. In contrast to such, the invention as defined in independent claims 6 and 18 never permits a certificate to be treated as valid unless

"the signatures generated at a time prior to the certification of the public validation key are recognized as valid."

Consequently, because the Dierks reference expressly teaches at col. 3, line 67 – col. 4, line 4, that

"the message may only be encrypted if the certificate is valid at the time of encryption"

it would be necessary to reconstruct the Dierks reference to create a method wherein "only those signatures generated at a time prior to the certification of the public validation key are recognized as valid."

Even if it were permissible to reconstruct the Dierks reference in this regard, the Oka reference does not disclose the requisite teachings to create the claimed combinations.

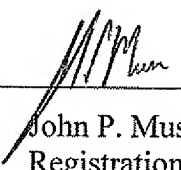Serial No. 10/528,312
Atty. Doc. No. 2002P15289WOUS

For all of these reasons it is urged that the rejection of the claims under Section 103 is not properly based and should be withdrawn. If the Examiner finds any basis to disagree with the above remarks, the Examiner is requested to issue an advisory action which provides a full and complete explanation with citation from the prior art in order that applicants can fully analyze the Examiner's position prior to appeal.

Conclusion

Based on the above amendments and the argument presented it is submitted that all of the claims are patentable over the prior art and the application is in condition for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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